

DMP:MRM
F. #2016R02191

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

16M1138

- - - - -X

UNITED STATES OF AMERICA

- against -

CALVIN STALLWORTH,
also known as "Forty,"

Defendant.

AFFIDAVIT AND
COMPLAINT IN
SUPPORT OF AN
ARREST WARRANT

(18 U.S.C. § 922(g)(1))

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EASTERN DISTRICT OF NEW YORK, SS:

WILLIAM PUSKAS, being duly sworn, deposes and states that he is a Task Force Officer with the Joint Robbery Task Force of the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), duly appointed according to law and acting as such.

Upon information and belief, on or about January 10, 2016, within the Eastern District of New York, the defendant CALVIN STALLWORTH, also known as "Forty," having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit, a black .357 Ruger LCR revolver with serial number 546-10654.

(Title 18, United States Code, Section 922(g)(1))

The source of your deponent's information and the grounds for his belief are as follows¹:

¹ Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth every fact learned during the course of this investigation.

1. I am a Task Force Officer with the ATF and have been involved in the investigation of numerous cases involving firearms. I am familiar with the facts and circumstances set forth below from a review of records of the NYPD and other agencies, and conversations with NYPD officers.

2. On or about January 10, 2016, at approximately 10:10 p.m., NYPD officers responded to separate reports of a male individual shot at 458 Columbia Street in Brooklyn, New York and a male individual shot at 450 Columbia Street in Brooklyn, New York. Both of these addresses are contained within the Red Hook West public housing development.

3. Upon arrival at 458 Columbia Street, officers observed John Doe #1, whose identity is known to the affiant, in the first floor hallway, unresponsive, with multiple gunshot wounds. At the scene, officers recovered two firearms, a black .357 caliber Ruger LCR revolver with serial number 546-10654 and a black and silver .40 caliber Ruger SR40 C pistol with serial number 345-02256.

4. Upon arrival at 450 Columbia Street, NYPD officers responded to the apartment of a 911 caller and observed an individual later identified as the defendant CALVIN STALLWORTH, also known as "Forty," with multiple gunshot wounds. The defendant was subsequently transported to Methodist Hospital, where he was interviewed by NYPD officers. During that interview, the defendant stated to officers, in substance and in part, that he was present with John Doe #1 during the shooting at 458 Columbia Street.

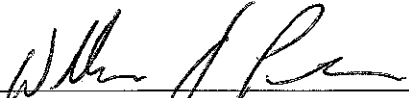
5. As part of the investigation into the shooting at 458 Columbia Street, officers vouchered both firearms recovered from the scene and submitted them to the Office

of the Chief Medical Examiner (“OCME”) for testing. The OCME subsequently determined that the single source of DNA recovered from the black .357 Ruger LCR revolver matched the DNA of the defendant CALVIN STALLWORTH, also known as “Forty,” whose DNA was on file with the OCME from a previous incident.

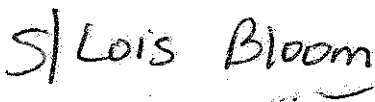
6. I have conferred with agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives, and they have advised me that the black .357 Ruger LCR revolver recovered from the crime scene at 458 Columbia Street was manufactured outside the State of New York.

7. I have reviewed the defendant’s criminal history records, which reveal that on September 13, 2013, the defendant was convicted of Assault in the Second Degree (intent to cause physical injury with weapon/instrument) in violation of New York Penal Law § 120.05(2), which is a crime punishable by a term of imprisonment of more than one year, and thereafter, on September 27, 2013, was sentenced to a term of three years’ imprisonment.

WHEREFORE, your deponent respectfully requests that the defendant
CALVIN STALLWORTH, also known as "Forty," be dealt with according to law.


WILLIAM PUSKAS
Task Force Officer
Joint Robbery Task Force
ATF

Sworn to before me this
7th day of December, 2016


THE HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK